

What is required to make a connection or alteration to an ADOT stormwater conveyance system?

It is the responsibility of the external party to comply with ADOT drainage guidance. The external party must submit an engineering Drainage Report, prepared and sealed by an Arizona Registered Professional Engineer, for review and approval by the ADOT Drainage Section.

What is required of an IGA or JPA participant?

External parties (local jurisdictions, utilities, etc) performing construction activities pursuant to the IGA or JPA must meet or exceed the requirements of the AZCGP and ADOT Statewide Stormwater Management Plan for construction projects. These external parties must also provide a Drainage Report for connections to, or alterations of, the ADOT conveyance system. These requirements may be accommodated within the context of a blanket encroachment permit, reviewable on an annual basis.

How will the ADOT stormwater management plan be enforced?

ADOT encourages external party consultation with District staff to develop mutually satisfactory solutions to potential problems or to resolve emergency situations. ADOT has complete and exclusive operational control and jurisdiction over the use of state highways, including the highway R/W (Arizona Revised Statutes § 28-7045). This legal authority includes regulating adverse drainage impacts and environmental impacts within ADOT's jurisdiction and abutting property affecting state property. If an external party fails to comply with ADOT stormwater requirements, ADOT is authorized under state law and regulations (Arizona Administrative Code R17-3-508) to take enforcement action.

This publication is intended to be an informal means of informing the public about an ADOT process. Although it is assumed the information provided is accurate, this brochure is not intended to create any sort of legal obligation on ADOT's part. Please contact ADOT for specific inquiries. Detailed information can be obtained from Arizona Department of Transportation Stormwater Requirements for External Parties available at http://www.dot.state.az.us/Highways/OES/plans_and_permits.asp

QUESTIONS?

Contact Appropriate Agency

**Arizona Department
of Environmental Quality**
Stormwater Coordinator
1110 W. Washington St.
Phoenix, AZ 85007
602.771.2300
800.234.5677

U.S. Environmental Protection Agency
Stormwater Notice Processing Center
Mail Code 4203M
1200 Pennsylvania Ave. NW
Washington, DC 20460
866.352.7755

STORMWATER REQUIREMENTS FOR EXTERNAL PARTIES

Arizona Department of Transportation
Intermodal Transportation Division





To whom does this guidance apply?

Non-ADOT entities seeking to undertake projects in ADOT right-of-way (R/W) and facilities. This guidance does not apply to construction contracts administered through the ADOT bidding process.

What is the purpose of this document?

ADOT has the ultimate responsibility to ensure compliance with its stormwater permit, but because other parties perform work in ADOT R/W and facilities, ADOT is taking steps to ensure that external parties comply with the applicable regulations.

External party responsibilities.

External parties are responsible for managing the discharges of stormwater related to construction activity and must obtain coverage under a state or federal construction general permit (AZCGP or FCGP). The AZCGP or FCGP requires development of a Stormwater Pollution Prevention Plan (SWPPP) for any disturbance of 1 acre or more. The external party is also responsible for ADOT approval of any connections to the ADOT stormwater conveyance systems.

What is required of external parties proposing construction activities within ADOT's jurisdiction?

A SWPPP must be prepared and a Notice of Intent (NOI) must be filed with the appropriate agency. SWPPPs only need to be submitted to the Arizona Department of Environmental Quality (ADEQ) with your NOI if your site is located within ¼ mile of a unique, impaired, or not attaining water. In all other cases, do not submit the SWPPP to ADEQ or the Environmental Protection Agency (EPA). If the SWPPP is not required to be submitted to ADEQ or EPA, the external party must wait at least 2 business days before discharging. If the SWPPP had to be submitted to ADEQ or EPA for review, the

external party must receive notice of NOI and SWPPP approval from ADEQ or EPA before beginning construction.

What does ADOT require for construction projects?

ADOT Permits and ADOT R/W **may** require a copy of the NOI and SWPPP be submitted in the ADOT permit application package. In any case, ADOT will require information on final stabilization plans. Best Management Practices (BMPs) selected for use within the SWPPP must be consistent with ADOT BMPs contained in the *ADOT Erosion and Pollution Control Manual*. The external party should particularly note the following specific ADOT requirements:

- **Sediment and erosion control BMPs**
 - **Revegetation**
 - **Local jurisdictions**
 - **Final stabilization**
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Additional requirements for MS4s.

Any project with the potential for discharge to a Municipal Separate Storm Sewer System (MS4) is required to notify the MS4 via a copy of the NOI. There may also be additional local ordinance requirements. Any construction projects located in Phoenix and Tucson MS4s are subject to ADOT NPDES Permit No. AZS000018. External parties working within the MS4s shall obtain a copy of ADOT Permit No. AZS000018 for reference prior to completion of the project SWPPP. This permit requires 24-hour notification to ADEQ of any non-stormwater discharge into an MS4 conveyance system located in the Phoenix and Tucson metropolitan areas.

What construction site discharges are allowed within the ADOT jurisdiction?

Allowable non-stormwater discharges consist of activities identified in Part I.C of the AZCGP, such as application of dust control water, potable waterline flushing, and soil compaction water as long as appropriate BMPs are implemented. All

allowable discharges of combined non-stormwater and stormwater flows are subject to compliance with Arizona water quality standards unless located on Indian lands.

What construction site discharges are NOT allowed within the ADOT jurisdiction?

Prohibited discharges include (among others) uncontrolled disposal of concrete washouts (see BMP No. 5.7.8, Concrete Waste Management of the *ADOT Erosion and Pollution Control Manual*) and drilling fluids (see BMP No. 5.7.9, Liquid Waste Management of the *ADOT Erosion and Pollution Control Manual*). No wastes may be buried within the ADOT jurisdiction.

When must coverage under ADEQ's De Minimus Discharge permit be obtained?

De Minimus discharges that are discharged directly into waters of the US or to an MS4 conveyance system from actions such as 1 well development and dewatering operations require **separate coverage** under an ADEQ De Minimus General Permit.

What should be done if a spill occurs?

Notify ADOT Safety & Health through the Traffic Operations Center (602.712.6591) of any spill that has entered an MS4. External parties must establish spill control response protocols. Spill control materials shall be located in close proximity to an off-site discharge point. Spills shall not be allowed to enter into any stormwater conveyance system (ADOT or local jurisdiction) and shall be cleaned up as soon as possible. Spilled material may not be buried on-site.

What is required to work within ADOT facilities?

For requirements that apply specifically to these facilities, external parties are directed to the *ADOT Maintenance and Facilities Best Management Practices Manual* and/or the facility-specific SWPPP. Construction projects on ADOT facilities must also comply with the AZCGP or FCGP if more than 1 acre is disturbed.
